

---

STATUTORY INSTRUMENTS

---

**1995 No. 402**

**The Local Government Changes For England (Property Transfer and Transitional Payments) Regulations 1995**

**PART II**

**TRANSFER OF PROPERTY RIGHTS AND LIABILITIES**

**Vesting of property etc. of abolished authorities**

**6.—**(1) Nothing in this regulation shall apply to any property held, as sole trustee, exclusively for charitable purposes by an abolished authority or to any rights or liabilities in respect of such property.

(2) All the property, rights and liabilities of an abolished authority in relation to which there is only one successor authority shall, on the reorganisation date, vest in that successor authority.

(3) The following paragraphs of this regulation, and regulation 7, shall have effect where there are two or more successor authorities in relation to an abolished authority.

(4) Subject to paragraph (5) below —

- (a) any property of the abolished authority which is identified in an agreement and in relation to which a successor authority is specified for the purposes of this paragraph shall, on the reorganisation date, vest in that authority; and
- (b) any rights or liabilities of an abolished authority which are so identified and in relation to which a successor authority, or two or more successor authorities, are specified for the purposes of this paragraph shall, on that date, vest in that authority or, as the case may be, in those authorities jointly and severally.

(5) Paragraph (4) above shall not apply to vest —

- (a) any land identified in an agreement as mentioned in sub-paragraph (d)(i) of paragraph (2) of regulation 5, or any associated property in relation to that land, where the agreement does not include the provision mentioned in sub-paragraph (d)(ii) of that paragraph; or
- (b) any rights and liabilities exclusively in respect of such property, including, in the case of property which is land, rights and liabilities in respect of a contract for the provision of services on, or the delivery of goods to, the land.

(6) Where any land of the abolished authority vests in a successor authority by virtue of paragraph (4) above and any associated property in relation to the land does not vest in that authority or another successor authority by virtue of that paragraph, the associated property shall, on the reorganisation date, vest in the successor authority in which the land is vested.

(7) This paragraph applies to —

- (a) any relevant shares of the abolished authority which have been specified in a notice under regulation 5(4);
- (b) any property of the abolished authority consisting of cash or investments which is not vested by virtue of paragraph (4) or (6) above;
- (c) any rights or liabilities in respect of such shares or such property; and

(d) any rights or liabilities in respect of money borrowed by the abolished authority.

(8) Any property, rights and liabilities to which paragraph (7) above applies shall, on the reorganisation date, vest in the successor authority specified in a section 17 order as the designated authority in relation to this paragraph.

(9) This paragraph applies to —

(a) any property of the abolished authority which is not vested by virtue of paragraph (4), (6) or (8) above; and

(b) any rights or liabilities exclusively in respect of such property, including, in the case of property which is land, rights or liabilities in respect of a contract for the provision of services on, or the delivery of goods to, the land.

(10) Any property, rights or liabilities to which paragraph (9) above applies shall, on the reorganisation date, vest in the Residuary Body.